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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 2132 OF 2019
IN
FIRST APPEAL (ST.) NO. 2711 OF 2013**

Shri Manjur Hussein Bagwan ... Applicant
V/s.
Sou. Hasinabau A. Bagwan & Anr. ... Respondents

.....
Mr. Gaurav Sharma i/b Mr. A.M. Kulkarni for the Applicant.
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CORAM : K.K. TATED, J.

DATE : 25th JUNE, 2019.

P.C.:

Heard learned Counsel for the Applicant.

2. By this Civil Application, Applicant is seeking to set aside the Order dated 19th December 2017 passed by the learned Registrar (Judl.-II), by which the Civil Application No. 3547 of 2013 stands dismissed against Respondent No.1 for not providing the present correct address.

3. The learned Counsel for Applicant submits that, they provided the present correct address of Respondent No.1 in cause title of the

present Civil Application itself. He submits that in the interest of Justice, this Hon'ble Court be pleased to condone the delay in filing the application and restore the Civil Application No. 3547 of 2013 for hearing on its own merits. He submits that if the application is not allowed, irreparable loss will cause to him.

4. Considering the submission made by the learned Counsel for the Applicant, averments made in Civil Application and as the Applicant provided the present correct address of Respondent No.1 in cause title, I am satisfied that the Applicant has made out a case for allowing this Civil Application. Hence, following Order:

- i) Order dated 19th December 2017 passed by learned Registrar (Judl.-II) is set aside.
- ii) Civil Application No. 3547 of 2013 is restored against Respondent No.1.
- iii) Civil Application allowed accordingly.

(K.K. TATED, J.)